

JULIAN M. BAUM (CA State Bar No. 130892)  
THOMAS J. FUCHS  
BAUM & WEEMS  
9 Tenaya Lane  
Novato, California 94947  
Telephone: (415) 892-3152  
Facsimile: (415) 892-3096

Attorneys for Plaintiff  
David Carleton

RONALD K. ALBERTS (SBN 100017)  
TAD A. DEVLIN (SBN 190355)  
GORDON & REES LLP  
275 Battery Street, Suite 2000  
San Francisco, CA 94111  
Telephone: (415) 986-5900  
Facsimile: (415) 986-8054

Attorneys for Defendants

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

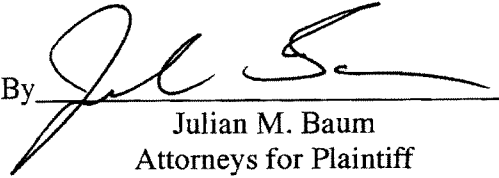
DAVID CARLETON, an individual,	)	
	)	Case No. CV 07-5924 (JSW)
Plaintiff,	)	
	)	STIPULATION AND [Proposed]
v.	)	<b>ORDER</b> on Defendants' Motion to Dismiss
	)	
	)	Date: May 16, 2008
504 GAP, INC. DISABILITY PLANS and	)	Time: 9:00 a.m.
THE GAP, INC., in its capacity as Plan	)	Courtroom: Hon. Jeffrey S. White
Administrator,	)	United States District Judge
	)	
Defendants.	)	
	)	
	)	
	)	
	)	



BAUM & WEEMS

Date: May 8, 2008

By

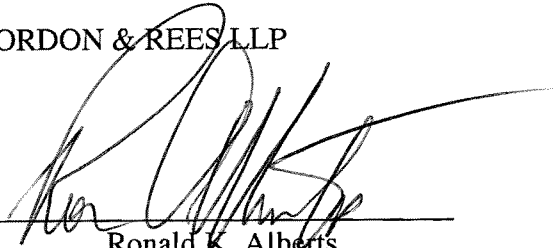


Julian M. Baum  
Attorneys for Plaintiff  
David Carleton

GORDON & REES LLP

Date: May 8, 2008

By



Ronald K. Alberts  
Attorneys for Defendants

**ORDER**

The parties having stipulated as set forth above,

**IT IS SO ORDERED. The hearing presently scheduled for May 16, 2008 is  
VACATED.**

DATED: MAY \_\_\_\_, 2008

\_\_\_\_\_  
JEFFREY S. WHITE

UNITED STATES DISTRICT JUDGE